

AUTHORIZING TESTIMONY AND
LEGAL REPRESENTATION

Mr. GRASSLEY. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 249, submitted earlier by Senators LOTT and DASCHLE.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 249) to authorize testimony, document production, and legal representation in *Thomas Dwyer v. City of Pittsburgh*, et al.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. Mr. President, this resolution concerns a request for testimony in a civil rights action in the United States District Court for the Western District of Pennsylvania. The action against local authorities in Pittsburgh arises out of a premises search and civil commitment proceedings they initiated. The plaintiff sought casework assistance from Senator RICK SANTORUM's office at around the same time that the plaintiff came to the attention of local authorities as a potential threat to himself or others. This resolution would permit an employee on Senator SANTORUM's staff to testify at a deposition, with representation by the Senate Legal Counsel, about his communications with the parties to this matter.

Mr. GRASSLEY. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 249) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 249

Whereas, in the case of *Thomas Dwyer v. City of Pittsburgh*, et al., pending in the United States District Court for the Western District of Pennsylvania, testimony has been requested from Emmet Mahon, an employee in the office of Senator Rick Santorum;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistently with the privileges of the Senate: Now, therefore, be it

Resolved, That Emmet Mahon is authorized to testify and produce documents in the case of *Thomas Dwyer v. City of Pittsburgh*, et al., except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Emmet Mahon in connection with the testimony and document production authorized in section one of this resolution.

REMOVAL OF INJUNCTION OF SE-
CRETACY—TREATY DOCUMENT NO.
106-17

Mr. GRASSLEY. Madam President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following convention transmitted to the Senate on January 31, 2000, by the President of the United States: Treaty on Mutual Legal Assistance in Criminal Matters with France, Treaty Document No. 106-17.

I further ask unanimous consent that the convention be considered as having been read the first time, that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed, and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message of the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty Between the Government of the United States of America and the Government of France on Mutual Legal Assistance in Criminal Matters, signed at Paris on December 10, 1998. I transmit also, for the Senate's information, an explanatory note agreed between the Parties regarding the application of certain provisions. The report of the Department of State with respect to the Treaty is enclosed.

The Treaty is one of a series of modern mutual legal assistance treaties being negotiated by the United States in order to counter criminal activities more effectively. The Treaty should be an effective tool to assist in the prosecution of a wide variety of crimes, including terrorism and drug trafficking offenses. The Treaty is self-executing.

The Treaty provides for a broad range of cooperation in criminal matters. Mutual assistance available under the Treaty includes: obtaining the testimony or statements of persons; providing documents, records, and items of evidence; locating or identifying persons or items; serving documents; transferring persons in custody for testimony or other purposes; executing requests for searches and seizures; assisting in proceedings related to immobilization and forfeiture of assets, restitution, and collection of fines; and rendering any other form of assistance not prohibited by the laws of the Requested State.

I recommend that the Senate give early and favorable consideration to the Treaty and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, January 31, 2000.

ORDERS FOR TUESDAY,
FEBRUARY 1, 2000

Mr. GRASSLEY. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:30 a.m. on Tuesday, February 1. I further ask that on Tuesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then resume debate on S. 625, the bankruptcy reform bill, under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Further, I ask unanimous consent that the Senate stand in recess from the hours of 12:30 p.m. to 2:15 p.m. for the weekly policy conferences to meet.

The PRESIDING OFFICER. Without objection, it is so ordered.

SCHEDULE

Mr. GRASSLEY. Madam President, for the information of all Senators, the Senate will resume consideration of the bankruptcy reform bill at 9:30 a.m. tomorrow, with Senator WELLSTONE in control of the first hour. There are other remaining amendments that will be debated and voted on throughout Tuesday's and Wednesday's session of the Senate, with a vote on final passage expected to occur no later than Wednesday. As a reminder, in addition, a cloture motion has been filed on the motion to proceed to the nuclear waste disposal legislation, and that vote will occur following the completion of the bankruptcy bill during Wednesday's session of the Senate.

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

Mr. GRASSLEY. Madam President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 4:44 p.m., adjourned until Tuesday, February 1, 2000, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate January 31, 2000:

DEPARTMENT OF COMMERCE

NICHOLAS P. GODICI, OF VIRGINIA, TO BE AN ASSISTANT COMMISSIONER OF PATENTS AND TRADEMARKS, VICE PHILIP G. HAMPTON, II.

FEDERAL DEPOSIT INSURANCE CORPORATION

RICHARD COURT HOUSEWORTH, OF ARIZONA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE FEDERAL DEPOSIT INSURANCE CORPORATION FOR THE REMAINDER OF THE TERM EXPIRING DECEMBER 25, 2001, VICE JOSEPH H. NEELY, RESIGNED.

DONNA TANOUE, OF HAWAII, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE FEDERAL DEPOSIT INSURANCE CORPORATION FOR A TERM OF SIX YEARS. (RE-APPOINTMENT)

HARRY S. TRUMAN SCHOLARSHIP FOUNDATION

SCOTT O. WRIGHT, OF MISSOURI, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S. TRUMAN SCHOLARSHIP FOUNDATION FOR THE REMAINDER OF THE TERM EXPIRING DECEMBER 10, 2003, VICE JOSEPH E. STEVENS, JR.